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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Guidelines for Evaluating the
Environmental Effects of
Radiofrequency Radiation

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)
) ET Docket No. 93-62/
)
)

MOTION FOR EXTENSION OF TIME

The Mobile Communications Division of the Telecommunications Industry Association ("TIA"), pursuant to Section 1.46 of the Rules and Regulations of the Federal Communications Commission ("Commission"), hereby respectfully submits this Motion for Extension of Time to file Reply Comments in the above-referenced matter.¹ The Commission is requested to extend to April 25, 1994 the date for filing Replies to the more than 1200 pages of Comments submitted in this proceeding.

I. PRELIMINARY STATEMENT

The TIA represents manufacturers and suppliers of telecommunications equipment used primarily in the cellular, private land mobile radio, cordless radio and personal communications services.

¹ Notice of Proposed Rule Making ("NPRM"), ET Docket 93-62, 8 FCC Rcd 2849 (1993).

II. Motion For Extension

Opinions of Expert Scientists and Engineers are Crucial to the Promulgation of Quality FCC Regulations, Thus Additional Time for Consultation is Required.

This NPRM differs from conventional FCC rulemaking proceedings in that responding to these proposed rule changes requires not only the normal and customary expertise of the telecommunications industry, but also necessitates the scientific expertise of bioeffects specialists skilled in the measurement and analysis of interactions of biological reactions to rf exposure.

As the content of this NPRM is based on the IEEE C95.1 standard, the telecommunications industry is beholden to these scientists for both availability and biotechnological expertise. In particular, several parties have contacted the IEEE Committee requesting an interpretation of certain aspects of the C95.1 standard.² Realizing that the IEEE Committee must formally meet and develop consensus, this process may take several months to accomplish. Outstanding questions need to be answered because these answers and/or interpretations are necessary as the basis for meaningful Reply Comments. Thus, the corresponding Reply Comments are inescapably linked to the outstanding questions which have been raised with the bioeffects specialists.

² For example, the October 15, 1993 letter from Ericsson GE Mobile Communications Inc. to the IEEE Standards Board is still under review by the IEEE Interpretation Committee.

Although more than 1000 research papers have been generated on the subject, the preponderance of these studies have focused on the biological effects versus rf interactions. Moreover, only a handful of these papers have addressed the practical application to telecommunications radio equipment and systems. This practical application by manufacturers and users is the very essence of the issues to be resolved in the FCC rulemaking process and certainly resolution is required prior to the effective date of the rules. Since many of the Comments are related to practical application of the IEEE standard, added Reply time schedule is necessary to insure that newer developments are given due consideration in the implementation of these rules.

A Very Limited Number of Bio-Effects Experts Exist Within the Telecommunications Community and Consultation is Imperative for Well-Founded Reply Comments

While the telecommunications community has many experts in radio and communications products as well as system design, manufacture, installation and operation, these individuals are generally without the highly specialized training, expertise and experience necessary to make more than superficial comments and recommendations as to the interactions and safety factors of RF exposures in the biological sense. On the other hand, the RF bioeffects community of academics and industry does enjoy a select few (on the order of 10) career experts who have spent their full-time professional careers dedicated to this RF study effort.

Notwithstanding, while these individuals are truly experts in the RF bioeffect community, one cannot reasonably expect that these career experts are also telecommunications equipment/system designers, manufacturers or users of significance. To analyze the comments and create replies without the consultation of these professional experts due to the short cycle time of administrative scheduling would indeed be a disservice to the public interest and contrary to the spirit of the rulemaking process.

The Comment Period was Extended 3 Times Totalling 165 Days. Similarly, Additional Time is Needed to Prepare Replies.

The Commission perceptively granted three extensions of time to file Comments in this proceeding. The first extension was granted to NAB so that it could complete a study commissioned to develop non-measurement based techniques for determining compliance with the C95.1 standard. The second extension Order granted the extension request of CBS, Capital Cities, and Hammett and Edison to enable the completion of their analysis of new data and information available from the laboratory of Dr. Om Gandhi which has only recently become available. In the final Comment extension, CBS requested and was granted additional time to complete its analysis of the new Gandhi data.

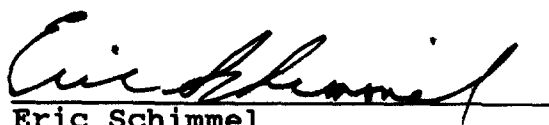
The Commission was correct in recognizing the "complexity of the issues raised by the new exposure guidelines and the difficulties in developing reasonable methods by which compliance can be evaluated."³

³ See Order Extending Time for Comments and Reply Comments, ET Docket No. 93-62, para. 6, released November 9, 1993.

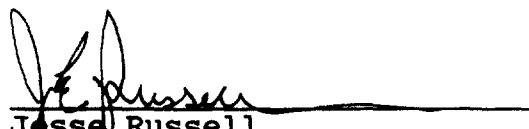
Furthermore, the Commission noted that by granting an extension, meaningful insights could be gained and an extension would benefit all parties. The TIA agrees that these extensions have benefited all parties as evidenced by the thorough and insightful comments filed in this proceeding. The predicament now facing the industry is that these well-researched comments were a product of ten months of formulation. The TIA believes it would be inequitable to require replies to comments of this caliber in a brief thirty-day period. Thus, the TIA believes that an extension of the reply period would be beneficial to allow for a thorough examination of the findings and conclusions presented by the numerous commentors.

Wherefore, the premises considered, the Mobile Communications Division of the Telecommunications Industry Association respectfully requests the Federal Communications Commission to extend the date to April 25, 1994 for filing reply comments in this proceeding.

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